

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

BONNIE JONES, on behalf of herself and all
others similarly situated,

Plaintiffs,

v.

CHICAGO BRIDGE & IRON COMPANY
(DELAWARE),

Defendant.

:
:
: CIVIL ACTION
:
: NO. 3:17-cv-00424-RJC-DSC
:
:
:
: **JOINT MOTION FOR FINAL**
: **APPROVAL OF RULE 23 CLASS**
: **ACTION AND FLSA COLLECTIVE**
: **ACTION SETTLEMENT**
:
:

Plaintiff Bonnie Jones (“Plaintiff”) and Chicago Bridge & Iron Company (Delaware), through their undersigned counsel, respectfully move this Court for an Order:

1. Granting final approval of the Parties’ Class Action Settlement Agreement as fair, reasonable, and adequate pursuant to Fed. R. Civ. P. 23(e), and a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act (*see* Memorandum in Support of Plaintiff’s Joint Motion for Final Approval of Rule 23 Class Action and FLSA Collective Action, Exhibit 1);

2. Certifying the following Settlement Class pursuant to Fed. R. Civ. P. 23 and 29 U.S.C. § 216(b) for the purposes of settlement:

Non-exempt employees working a “9/80 plan” in Defendant’s Power Division for the 2 years preceding the filing of the Complaint (July 18, 2015 through July 18, 2017) who were located in Charlotte, North Carolina and Canton, Massachusetts.;

3. Approving Plaintiff Bonnie Jones as the Representative of the Settlement Class;

4. Approving Gibbons Leis, PLLC and Stephan Zouras, LLP as Class Counsel for the Settlement Class;

5. Approving payment of \$3,500 to Plaintiff Bonnie Jones in recognition of her efforts in obtaining the settlement on behalf of the Class Members;
6. Approving payment to Class Counsel for litigation and settlement administration costs and expenses of up to \$5,000;
7. Approving Class Counsel's attorney fee rates as reasonable and consistent with the legal market in the Western District of North Carolina generally, and Charlotte, North Carolina in particular.
8. Approving payment of \$91,666.67 to Class Counsel for reasonable attorneys' fees, which represents one third of the total settlement amount; and
9. Defendant complied with the Class Action Fairness Act ("CAFA") by sending the CAFA notices to the appropriate agencies on April 10, 2019. The parties request that the Court's approval order go into effect 90 days from the sending of those notices, which would be **July 10, 2019**.
10. Plaintiff and Defendant file this Motion jointly.
11. A proposed Order is submitted for the Court's consideration.

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CERTIFICATE OF SERVICE

This is to certify that on June 24, 2019, the undersigned filed the foregoing using the Court's CM/ECF system which will send notification of such filing to the appropriate CM/ECF participants.

/s/ Philip J. Gibbons, Jr.
Attorney for Plaintiff(s)